

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

United States of America,

Plaintiff,

v.

ORDER

Criminal No. 06-407(1)

Neulan Midkiff,

Defendant.

Timothy C. Rank, and Tracy L. Perzel, Assistant United States Attorney for
and on behalf of Plaintiff.

Douglas Olson, Assistant Federal Public Defender for and on behalf of
Defendant.

This matter is before the Court upon Defendant's Motion to Exclude or
Limit Evidence referenced in the Government's Notice of Intent to Offer
Evidence under Fed. R. Evid. 404(b). Based on the submissions of the parties, the
files, records and proceedings herein,

IT IS HEREBY ORDERED that the Defendant's Motion to Exclude or Limit
Evidence [Doc. No. 144] is GRANTED in part as follows:

1. Evidence that certain witnesses purchased Alpha Telecom securities or

Accelerated Benefits Corporation “viaticals” from the Defendant may be admitted, but evidence that Alpha Telecom was later found to be a ponzi scheme shall be excluded, and evidence that Accelerated Benefits Corporation was shut down by the Securities Exchange Commission shall be excluded. The Government will instruct each and every one of its witnesses to limit testimony to evidence directly relevant to the charges as described in the Indictment and to instruct them as to this Order.

2. Evidence concerning “Friends Helping Friends” is excluded.

3. Evidence that the Defendant sold a stolen car in or around 1985 is excluded.

Date: June 2, 2008

s / Michael J. Davis
Michael J. Davis
United States District Court